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**Notice of Allowability**

Application No.

10/736,278

Examiner

Jinhee J. Lee

Applicant(s)

MIXSON, AARON L.

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/13/05 and 4/28/05.
2. ☒ The allowed claim(s) is/are ~~10-17~~ 12-17 and 19-21
3. ☒ The drawings filed on 13 May 2005 are accepted by the Examiner.

OR 6/24/05

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                              |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>0605</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                                      |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                     |
|   | 9. <input checked="" type="checkbox"/> Other <u>Examiner approved drawing</u> .                          |

### DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Craig Killough on 6/24/05.

The application has been amended as follows:

#### In the Claims:

1. Cancel claim 18.
2. In claim 12, line 3-4, change "passageways having an aperture" to --passageways having an opening--.
3. In claim 15, line 2, change "inverted cone" to --cone--.
4. Amend claim 16 as below:

16. (Amended) A cap for a cable conduit as described in Claim 12, said probe further comprising a vent opening ~~therein that communicates with an interior of said body, and wherein an interior of said body is vented through said probe.~~

5. Amend claim 17 as below:

17. (Amended) A cap for a cable conduit as described in Claim 12, said probe further comprising a vent that opens to an exterior of said probe, ~~wherein said vent extends through an interior of said probe and communicates with an interior of said body, and wherein an interior of said body is vented through said probe.~~

6. In claim 19, line 3, change "with an interior of said body, and wherein an interior of said body is" to --with the conduit, and wherein the conduit is--.
7. In claim 20, line 3-4, change "a first passageway and a second passageway of said plurality of passageways" to -- a first opening and a second opening of said plurality of spaced apart passageways --.
8. In claim 21, line 2, change "body that is below said probe has" to --body has--.

**In the Specifications:**

9. On page 4, line 22, change "a plurality of voids 18" to --a plurality of openings 18--.
10. On proposed amendment dated 4/28/05 for paragraph at page 5 line 3 (i.e. page 5 line 5), change "an aperture 20" to --an opening 18--.

***Allowable Subject Matter***

2. Claims <sup>12-17 and 19-21</sup>~~12-21~~ are allowed.

DR 6/24/05

3. The following is an examiner's statement of reasons for allowance:

Re claims 12-21, prior arts do not teach or suggest the combination of a cap for a cable conduit with a body having plurality of spaced apart passageways, each of the passageways having an opening, and a probe positioned between the passageways extending above said passageways.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

4. Applicant's arguments and amendments filed 4/28/05 have been fully considered and the examiner finds the argument along with the amendments to the claim persuasive.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinhee J. Lee whose telephone number is 571-272-1977. The examiner can normally be reached on M, T, Th and F at 6:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A. Reichard can be reached on 571-272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jjl

  
DEAN A. REICHARD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800  
6/24/05



Replacement

*Approved*  
*6/24/05*

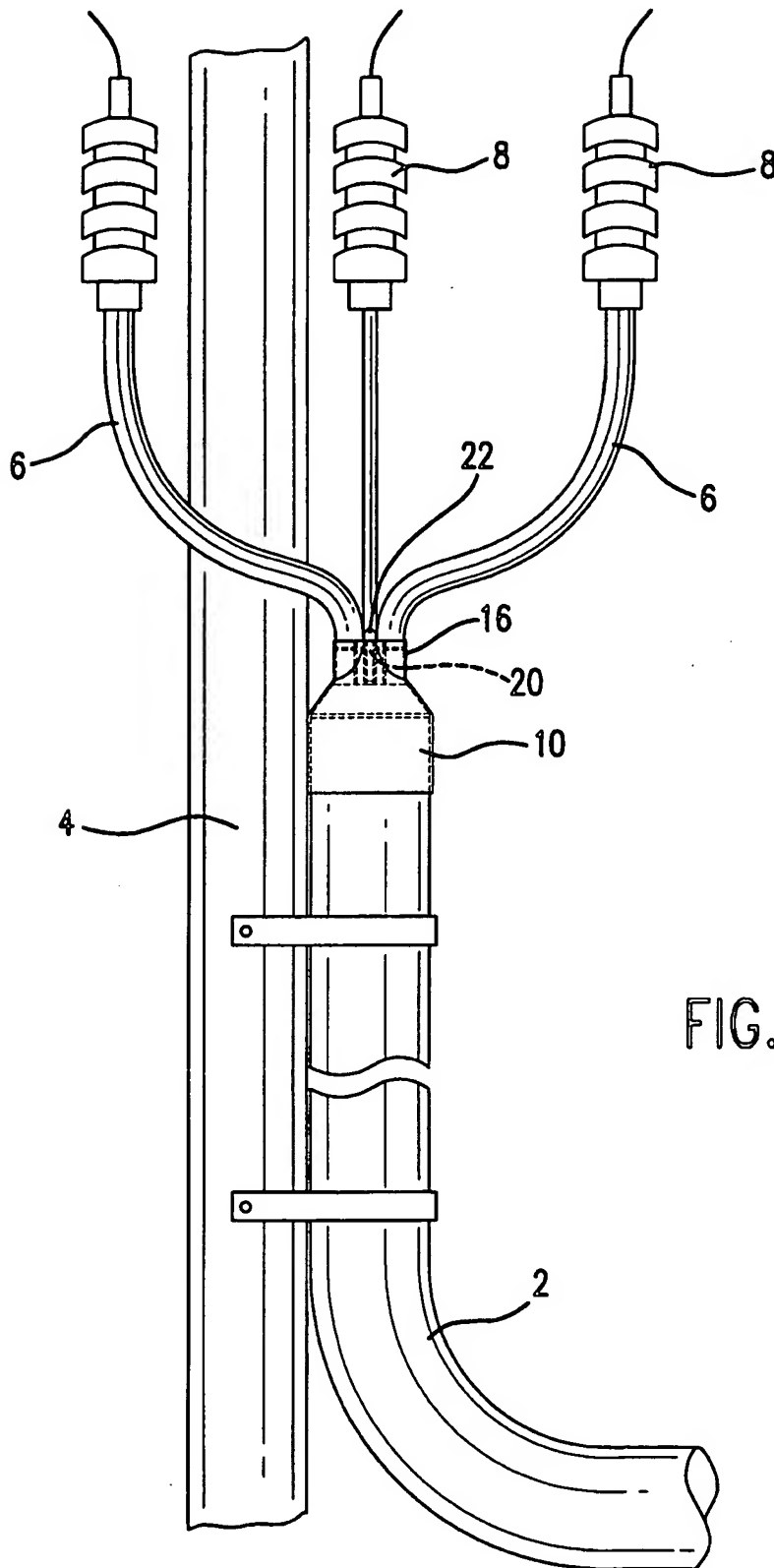


FIG. 1

Replacement

Examiner Approved *[Signature]*  
6/24/05

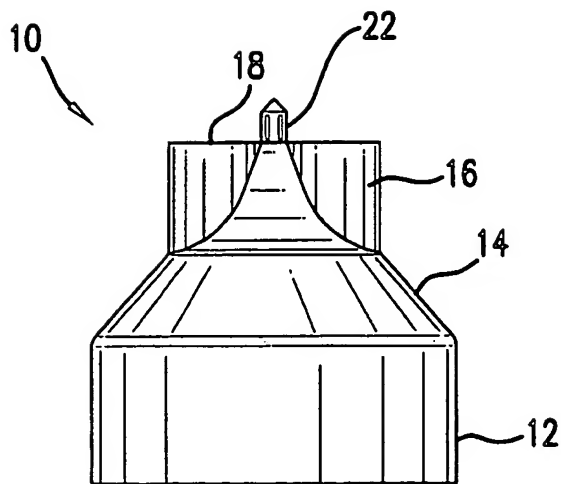


FIG. 2

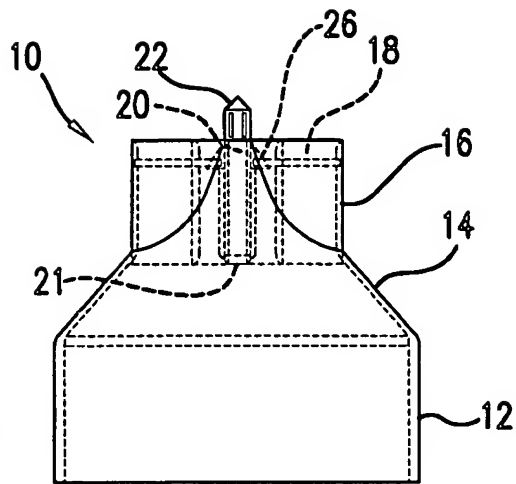


FIG. 3

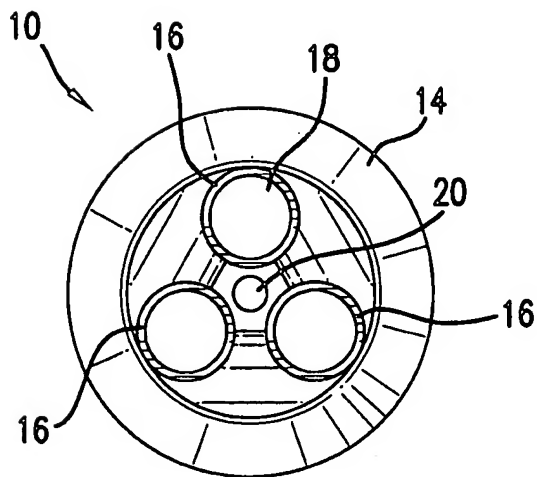


FIG. 4

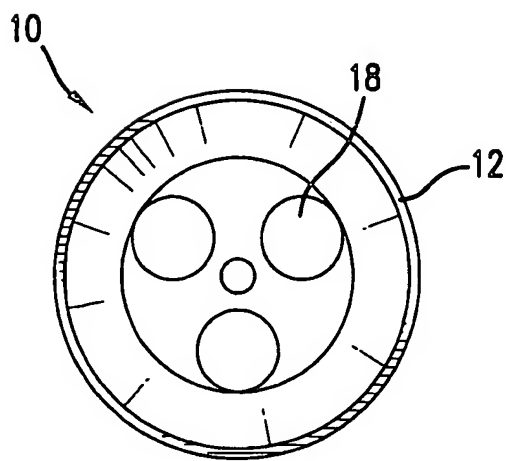


FIG. 5

Replacement

